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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,689	06/08/2001	Jeffrey S. Anderson	1006-035/MMM	9434

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IPSOLON LLP
805 SW Broadway #2740
Portland, OR 97205

EXAMINER

PENDLETON, BRIAN T

ART UNIT PAPER NUMBER

2644

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,689

Applicant(s)

ANDERSON, JEFFREY S.

Examiner

Brian T. Pendleton

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-11,14,15,20-23 and 26-30 is/are rejected.
- 7) ☒ Claim(s) 2-5,12,13,16-19,24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 15, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Seki, US Patent 4,321,428. Seki discloses an amplifier circuit in figure 5 comprising a pair of amplifiers 2a, 2b with differential connections for receiving the audio signal V_{in} and differential output connections OUT_1 , OUT_2 for speaker R_L .

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-8, 11, 14, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki in view of Kerai et al, US Patent 6,531,845. Seki discloses a differential input/output circuit for a speaker. Seki does not disclose that the amplifiers include power connections that are connectable to a power source that is included a multimedia computer. It was obvious to use the differential input/output circuit of Seki in a multimedia computer for the purpose of supplying an efficient amplifying circuit. Kerai discloses that USB port P can act as power source in a

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computer (see figure 2 and abstract). It would have been obvious to one of ordinary skill in the art at the time of invention to connect the power amplifiers of Seki with the USB port, as taught by Kerai, for the purpose of using an existing power source for the amplifiers, obviating the need to supply an external power source. Per claim 14, it was obvious at the time of invention to use multiple configurations when warranted by multiple signals and one of ordinary skill in the art would have been motivated to provide such configurations in the invention of Seki for a multi-channel system.

5. Claims 10, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki. Seki does not disclose that the audio signal corresponds to one of multiple audio signal channels and each channel has a pair of amplifiers with differential connections. Nonetheless, it was obvious at the time of invention to use multiple configurations when warranted by multiple signals and one of ordinary skill in the art would have been motivated to provide such configurations in the invention of Seki for a multi-channel system. Per claim 28, it was obvious to use headphones in a computer system at the time of invention. As to claim 29, at the time of invention it was well known that computers can reproduce sound via headphones or external speakers and obvious to have couplings and a switch for either sound output means for the purpose of providing compatibility.

6. Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki in view of Krietzman et al, US Patent Publication 2001/0043468. Seki does not disclose that the IEEE 1394 port of a computer is used as a power source. Krietzman discloses that the IEEE 1394 port of a computer can be used a power source (see figure 5). It would have been obvious to one of ordinary skill in the art at the time of invention to connect the power amplifiers of Seki

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with the IEEE 1394 port, as taught by Krietzman, for the purpose of using an existing power source for the amplifiers, obviating the need to supply an external power source.

Allowable Subject Matter

7. Claims 2-5, 12, 13, 16-19, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Objections

8. Claim 30 is objected to because of the following informalities: Typographical error. Appropriate correction is required.

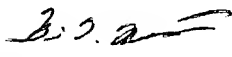
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian T. Pendleton whose telephone number is (703) 305-9509. The examiner can normally be reached on M-F 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


btp